



## CITY OF LODI

## COUNCIL COMMUNICATION

**AGENDA TITLE:** Request for an Encroachment Permit for Sidewalk Seating at Hazel's Restaurant at 22 South School Street

**MEETING DATE:** May 3, 1995

**PREPARED BY:** Public Works Director

**RECOMMENDED ACTION:** That the City Council discuss and take appropriate action to approve the issuance of an encroachment permit for sidewalk seating at Hazel's Restaurant to be located at 22 South School Street.

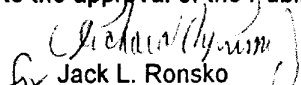
**BACKGROUND INFORMATION:** The proposed plans for Hazel's Restaurant to be located at 22 South School Street include an outdoor sidewalk seating area along the Oak Street frontage. The outdoor dining area will be separated from pedestrian traffic by a decorative railing. The plans indicate that the seating area will extend 9 feet from the face of the building, leaving a clearance of 7 feet between the railing and the face of curb. There are currently two tree wells at the back of curb along this frontage which are not shown on the plans. The westerly tree well is empty and has been bricked in. The easterly tree well contains a tree approximately 12 feet tall. Copies of the plans showing the seating area (with existing tree wells added) and the railing detail are attached. The plans indicate that the design of the intermediate rail pattern is to be determined by the owner. The owners shall be notified, with a copy of this communication, to be prepared to present the rail pattern design to Council at the May 3 meeting.

Based on the seating area dimensions shown on the plans and field measurements made by staff, the unobstructed width of the sidewalk at the tree wells will be only 3.15 feet. This is less than the usual requirement for 5 feet of unobstructed width, but is in compliance with ADA regulations. We recommend that the existing tree remain and this anomaly be addressed as part of the revitalization project for the downtown area.

We understand that the owners wish to serve alcoholic beverages in the sidewalk seating area. This practice is currently prohibited by the Lodi Municipal Code. The City Attorney has prepared an amendment to the current Code setting forth conditions to allow the sale and consumption of alcoholic beverages in the public right-of-way. This amendment is also set for Council consideration on May 3. If Council approves the Code amendment, the encroachment permit would be issued subject to the conditions of the Code amendment as well as the previously established conditions listed below.

- Encroachment shall be limited to the sidewalk right-of-way along the Oak Street frontage at 22 South School Street.
- Encroachment shall not obstruct store entry or impede traveling public.
- Permittee shall maintain right-of-way in a clean and neat manner.
- All work within the right-of-way shall be to the approval of the Public Works Department.

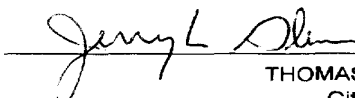
**FUNDING:** Not applicable.

  
Jack L. Ronsko  
Public Works Director

Prepared by Sharon A. Welch, Associate Civil Engineer  
Attachments

cc: City Attorney  
Street Superintendent  
Associate Civil Engineer - Engineering  
Associate Civil Engineer - Development Services  
Marlo Kerner Associates  
Mike Smith Engineering  
Ted Katakian Co., Inc.

APPROVED: \_\_\_\_\_



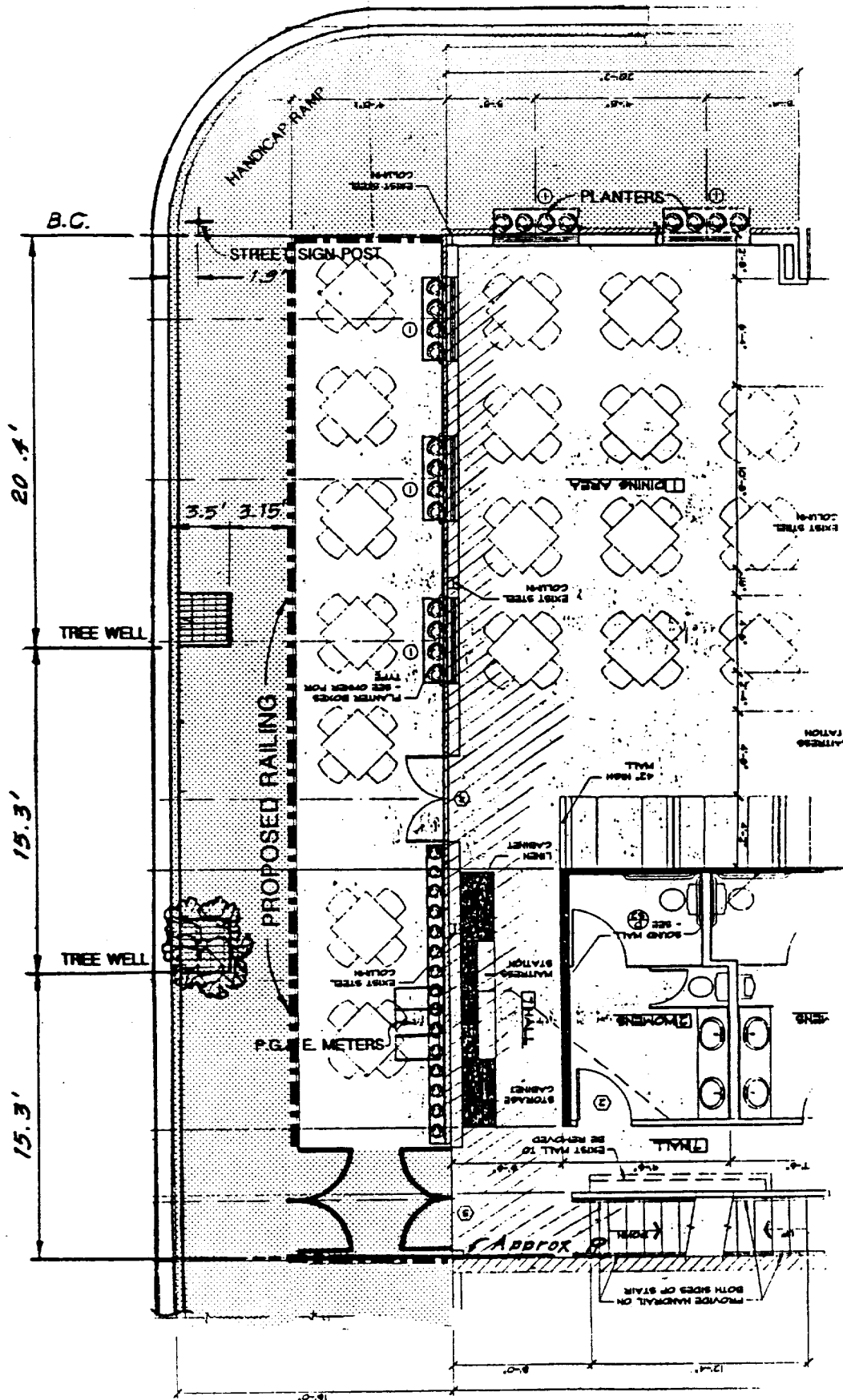
THOMAS A. PETERSON  
City Manager

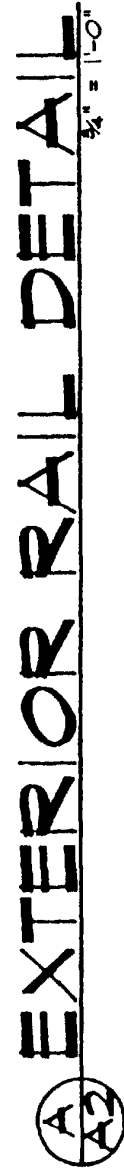


recycled paper

SCHOOL ST.

OAK ST.





EXTREME DETAIL  $\frac{3}{4}'' = 1'-0''$

CITY COUNCIL

STEPHEN J. MANN, Mayor  
DAVID P. WARNER  
Mayor Pro Tempore  
RAY G. DAVENPORT  
PHILLIP A. PENNINO  
JACK A. SIEGLOCK

# CITY OF LODI

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P.O. BOX 3006  
LODI, CALIFORNIA 95241-1910  
FAX (209) 333-6842

THOMAS A. PETERSON  
City Manager  
JENNIFER M. PERRIN  
City Clerk  
BOB McNATT  
City Attorney

April 26, 1995

Marlo Kerner Associates  
P. O. Box 343  
Acampo, CA 95220

**SUBJECT: Request for Encroachment Permit for Sidewalk Seating at Hazel's  
Restaurant at 22 South School Street**

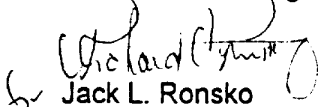
Enclosed is a copy of background information on the subject item that is on the City Council agenda of Wednesday, May 3, 1995, at 7:00 p.m. The meeting will be held in the City Council Chamber, Carnegie Forum, 305 West Pine Street.

This item is on the regular agenda for Council discussion. The plans for the sidewalk seating area do not indicate the design of the intermediate rail panels to be used. You and/or your consultants should be prepared to present this information at the Council meeting.

If you wish to write to the City Council, please address your letter to City Council, City of Lodi, P. O. Box 3006, Lodi, California 95241-1910. Be sure to allow time for the mail. Or, you may hand-deliver the letter to the temporary City Clerk's office located in the basement of Carnegie Forum.

In order to address the Council at the Council meeting, be sure to fill out a speaker's card (available at the Carnegie Forum immediately prior to the start of the meeting) and give it to the City Clerk. If you have any questions about communicating with the Council, please contact Jackie Taylor, Acting City Clerk, at (209) 333-6702.

If you have any questions about the item itself, please call Sharon Welch, Associate Civil Engineer, at (209) 333-6706.

  
Jack L. Ronsko  
Public Works Director

JLR/SAW/lm

Enclosure

cc: City Clerk  
Mike Smith Engineering  
Ted Katzakian Co., Inc.